

Attorney Docket No.: 70012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : COCOLA et al  
Serial No. : 09/767,046 ✓  
Confirm. No. : 4570  
Filed : January 22, 2001  
For : A TEST TUBE FOR...  
Art Unit : 1743  
Examiner : Dwayne K. Handy  
Dated : August 26, 2003

FAX RECEIVED  
AUG 26 2003  
TC 1700

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.136 (a)**

Sir:

The Office Action dated April 1, 2003 provided for a shortened statutory period for response of three months.

The shortened statutory period expired July 1, 2003.

Since the attached response is being filed within the second month pursuant to 37 CFR 1.136(a) Examiner is respectfully requested to charge attorney's deposit account no. 13-0410 the appropriate petition fee of \$410.00 (fee code 1252).

Respectfully submitted  
for Applicant(s),

By:

Theobald Dengler

Reg. No.: 34,575

For: MCGLEW AND TUTTLE, P.C.

08/28/2003 NLAWRENC 00000001 130410 09767046

01 FC:1252	410.00 DA
02 FC:1201	504.00 DA
03 FC:1202	126.00 DA
04 FC:1814	110.00 DA

DATED: August 26, 2003  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.